

RANBAXY INC.

600 COLLEGE ROAD EAST, SUITE 2100 ■ PRINCETON, NEW JERSEY 08540 ■ TELEPHONE (609) 720-5608 ■ FACSIMILE (609) 514-9779

FACSIMILE COVER SHEET

DATE: October 26, 2006

NO. OF PAGES:
(INCLUDING THIS COVER)**RECEIVED**

26 OCT 2006

Legal Staff
International Division

TO: USPTO/PCT Legal Administration

Commissioner of Patents Attention: Cynthia M. Kratz

FAX NO.: 571-273-0459

FROM: Kim Campbell

Re: U.S. Patent Application No.: 10/522,223

Title: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE FORMULATIONS
OF MODAFINIL
RLL-275US

Please find attached the Petition Requesting the hold is withdrawn Under 37 CFR 1.8(b) along with a complete copy of the Response to the Notification of Missing Requirements.

Thank you.

Sincerely,

Kim Campbell

Paralegal - Intellectual Property

CONFIDENTIALITY NOTE:

The information contained in this facsimile message is strictly privileged and confidential, intended only for the use of the individual or entity named above.

If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this material is strictly prohibited.

If you have received this communication in error, please immediately notify us by telephone to arrange for the destruction or the communication or the return, at our expense, of the original message.

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: SINGH et al.
Application No.: 10/522,223
Filed: January 24, 2005
Title: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE
FORMULATIONS OF MODAFINIL

**PETITION REQUESTING WITHDRAWAL OF THE HOLDING OF
ABANDONMENT UNDER 37 CFR 1.8(b)****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile
transmitted to the United States Patent and Trademark Office
at (571) 273-0459 on the date shown below.

Date: October 26, 2006.

William Hare
William Hare

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Petition under 37 CFR 1.8(b) and Response to
Decision on Petition Under 37 CFR 1.47(a)**

This submission by the Applicants is: (a) to satisfy the requirements of 37 CFR 1.8(b), and (b) in response to the Decision on Petition Under 37 CFR 1.47(a) dated September 25, 2006. The Decision on Petition holds that Applicants' application is abandoned for failing to respond to the Notification of Missing Requirements dated August 8, 2005, which required an oath or declaration of the inventors. Applicants responded to this Notification on March 8, 2006 with a seven page facsimile transmission consisting of a facsimile cover sheet, a Petition to File When Inventor Cannot be Reached Under 37 CFR § 1.47 and the Declaration executed by two of the five inventors, Inventors Roy and Malik. According to the Decision on Petition, this facsimile was not received in the Patent and Trademark Office (PTO).

U.S. Patent Application No.: 10/522,223
SINGH et al.

RLL-275US
Page 2

Applicants note that they did not receive the Decision on Petition until October 25, 2006 when, upon contacting the PTO to receive an update on the application, Applicants were informed that the Decision on Petition had been mailed on or about September 25, 2006. The PTO then sent it to Applicants by facsimile on October 25, 2006.

Applicants are petitioning under 37 CFR 1.8(b) for a withdrawal of the holding of abandonment. To satisfy 37 CFR 1.8(b)(1), Applicants note that on June 2, 2006 Applicants became aware that the PTO did not have evidence of receipt of the March 8, 2006 response to Notification of Missing Requirements. On June 2, 2006, immediately upon learning that the PTO did not have evidence of receipt of the March 8, 2006 submission, Applicants verbally informed the PTO during a telephone call of the existence of the March 8, 2006 correspondence.

To satisfy 37 CFR 1.8(b)(2), on June 7, 2006, Applicants submitted evidence of the March 8, 2006 submission. However, it appears that the evidence submitted was incomplete and did not include the entire March 8, 2006 facsimile. Applicants are now providing a copy of the entire eight page, March 8, 2006 facsimile, including facsimile confirmation transmission report, which consists of: (a) a copy of the confirmation transmission report (one page), (b) the facsimile cover sheet (one page), (c) the Petition to File When Inventor Cannot be Reached Under 37 CFR § 1.47 (two pages), and (d) the Declaration executed by two of the five inventors (five pages).

To satisfy 37 CFR 1.8(b)(3) the undersigned states that he has spoken with the Patent Paralegal who sent the March 8, 2006 facsimile transmission to the PTO and has been informed by the Patent Paralegal that she sent the March 8, 2006 facsimile transmission on the date indicated on the attached confirmation transmission report. The undersigned also

U.S. Patent Application No.: 10/522,223
SINGH et al.

RLL-275US
Page 3

states that the Patent Paralegal regularly sends facsimile transmissions to the PTO on behalf of the undersigned and that she ensures that such transmissions are successful by reviewing the confirmation report. The Patent Paralegal ensures successful transmission of the facsimile by reviewing both that the transmission went through and that the correct number of pages were transmitted, as indicated on the confirmation report.

Based on the above, Applicants request that the holding of abandonment be withdrawn.

Applicants also are providing documents relating to the oath or declaration signed by all of the inventors to satisfy the requirements of 37 CFR 1.47(a). In the June 7, 2006 electronic submission, providing the cover sheet from the March 8, 2006 facsimile, Applicants also provided declaration and oaths (twelve pages) signed by all of the inventors. These were provided with a Supplemental Petition to File When Inventor Cannot Be Reached under 37 CFR 1.47 (one page). In this submission, Applicants are providing the executed declaration and oath (twelve pages), Supplemental Petition (one page), the Electronic Acknowledgement Receipt dated June 7, 2006 (two pages), and Response to Notice to File Missing Parts of Application (PTO Form 1533) with request for a five month extension of time (three pages). Based on the submission of these documents, Applicants believe that they have satisfied the declaration and oath requirements for 37 CFR 1.47(a) for this application.

Authorization is hereby given to charge any fees associated herewith to Deposit Account No. 50-0912.

Date: October 26, 2006

Customer No. 26815

By William D. Hare
William D. Hare
Reg. No. 44,739

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1380
RECIPIENT ADDRESS	17033053230
DESTINATION ID	
ST. TIME	03/08 14:53
TIME USE	01'06
PAGES SENT	7
RESULT	OK

RANBAXY INC.

600 COLLEGE ROAD EAST, SUITE 2100 ■ PRINCETON, NEW JERSEY 08540 ■ TELEPHONE (609) 720-5608 ■ FACSIMILE (609) 514-9779

FACSIMILE COVER SHEET

DATE: March 8, 2006

NO. OF PAGES: 7
(INCLUDING THIS COVER)

TO: USPTO

Commissioner of Patents Attention: India L. Evans

FAX NO.: 703-305-3230

FROM: Kim Campbell

Re: U.S. Patent Application No.: 10/522,223
Title: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE
FORMULATIONS OF MODAFINIL
RLL-275US

Please find attached the Petition to File When Inventor Cannot be reached.



RANBAXY INC.

600 COLLEGE ROAD EAST, SUITE 2100 ■ PRINCETON, NEW JERSEY 08540 ■ TELEPHONE (609) 720-5608 ■ FACSIMILE (609) 514-9779

FACSIMILE COVER SHEET

DATE: March 8, 2006

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Commissioner of Patents Attention: India L. Evans

FAX NO.: 703-305-3230

FROM: Kim Campbell

Re: U.S. Patent Application No.: 10/522,223
Title: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE
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RLL-275US

Please find attached the Petition to File When Inventor Cannot be reached.

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If you have received this communication in error, please immediately notify us by telephone to arrange for the destruction or the communication or the return, at our expense, of the original message.

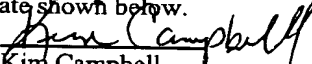
IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: SINGH et al.
Application No.: 10/522,223
Filed: January 24, 2005
Title: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE
FORMULATIONS OF MODAFINIL

PETITION TO FILE WHEN INVENTOR CANNOT BE REACHED
UNDER 37 CFR § 1.47**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile
transmitted to the United States Patent and Trademark Office
at (703) 305-3230 on the date shown below.

Date: March 8, 2006.


Kim Campbell

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements under 35, U.S.C. 371 dated August 8, 2005. Applicants hereby petition to waive the execution of the Declaration by inventors, Romi Berat SINGH, Pananchukunnath Manoj KUMAR and Vishnubhotla NAGAPRASAD as inventors of the above referenced application. These inventors have been presented with a copy of the application papers. To date we have made numerous attempts to contact Mr. Singh, Mr. Kumar and Mr. Nagaprasad but have not received a response from them. Mr. Singh's last known address is A-14 Badshah Bagh, Varanasi, Uttar Pradesh,

U.S. Patent Application No.: 10/522,223
SINGH et al.

RLL-255US

221002 India, Mr. Kumar last known address is 25 Laxmi Vihar Apartments, Block H-3, Vikas Puri, New Delhi, Delhi 110018 India and Mr. Nagaprasad last known address is 102 Surya Niwas Apartments, Balaji Nagar, Kukatpally, Hyderabad, Andhra Pradesh 500072 India.

Applicants hereby submit the Declaration executed by inventors Sunilendu Bhushan ROY and Rajiv MALIK and under 37 CFR 3.73 (b)(1) ownership of the application is established under reel/frame 015952/0835 where evidence of the chain of title is recorded.

Authorization is hereby given to charge any fees associated herewith to Deposit Account No. 50-0912.

Respectfully submitted,

SINGH et al.

Date: March 8, 2006

Customer No. 268 5

By William D. Hare
William D. Hare
Reg. No. 44,739

Express Mail Label No.

Page 1 of

Docket No.
RLL-275US

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PROCESSES FOR THE PREPARATION OF ORAL DOSAGE FORMULATIONS OF MODAFINIL

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on July 24, 2003 as United States Application No. or PCT International Application Number PCT/IB2003/002962 and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

771/DEL/2002
(Number)

India
(Country)

25 July 2002
(Day/Month/Year Filed)

Priority Claimed

☒

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Jayadeep R. Deshmukh, Esq. Reg. No. 34,507
George E. Heibel, Esq. Reg. No. 42,648
William D. Hare, Esq. Reg. No. 44,739
Kenneth Y. Lo, Esq. Reg. No. 51,961
James J. De Yorker, Esq. Reg. No. 52,817

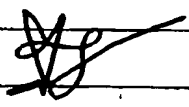
Send Correspondence to: Jayadeep R. Deshmukh, Esq.
Ranbaxy Inc.
600 College Road East, Suite 2100
Princeton, New Jersey 08540

Direct Telephone Calls to: *(name and telephone number)*
Jayadeep R. Deshmukh, Esq. 609-720-5608

Full name of sole or first inventor	Romi Barat SINGH	
Sole or first inventor's signature		Date
Residence	Varanasi, Uttar Pradesh	
Citizenship	India	
Post Office Address	A-14 Badshah Bagh, Varanasi, Uttar Pradesh, 221002 India	

Full name of second inventor, if any	Pananchukunnath Manoj KUMAR	
Second inventor's signature		Date
Residence	New Delhi, Delhi	
Citizenship	India	
Post Office Address	25 Laxmi Vihar Apartments, Block H-3, Vikas Puri, New Delhi, Delhi 110018 India	

Full name of third inventor, if any Visnubhotla NAGAPRASAD	
Third inventor's signature	Date
Residence Hyderabad, Andhra Pradesh	
Citizenship India	
Post Office Address 102 Surya Niwas Apartments, Balaji Nagar, Kukatpally, Hyderabad, Andhra Pradesh 500072 India	

Full name of fourth inventor, if any Sunilendu Bhshan ROY	
Fourth inventor's signature 	Date MAR 01, 06
Residence Mumbai, Maharashtra	
Citizenship India	
Post Office Address Bungalow #7, Row House Lokpuram, Than West, Mumbai, Maharashtra 400601 India	

Full name of fifth inventor, if any Rajiv MALIK	
Fifth inventor's signature	Date
Residence Austria	
Citizenship India	
Post Office Address Haus 13/4, Unterer Schreilberweg, A-1190 Wien Austria	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of third inventor, if any Vishnubhotla NAGAPRASAD	
Third inventor's signature	Date
Residence Hyderabad, Andhra Pradesh	
Citizenship India	
Post Office Address 102 Surya Niwas Apartments, Balaji Nagar, Kukatpally, Hyderabad, Andhra Pradesh 500072 India	

Full name of fourth inventor, if any Sunilendu Bhshan ROY	
Fourth inventor's signature	Date
Residence Mumbai, Maharashtra	
Citizenship India	
Post Office Address Bungalow #7, Row House Lokpuram, Than West, Mumbai, Maharashtra 400601 India	

Full name of fifth inventor, if any Rajiv MALIK	
Fifth inventor's signature <i>Rajiv Malik</i>	Date <i>6/2/06</i>
Residence Austria	
Citizenship India	
Post Office Address Haus 13/4, Unterer Schreiberweg, A-1190 Wien Austria	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: SINGH et al.
Application No.: 10/522,223
Filed: January 24, 2005
Title: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE
FORMULATIONS OF MODAFINIL

SUPPLEMENTAL PETITION
TO FILE WHEN INVENTOR CANNOT BE REACHED
UNDER 37 CFR § 1.47

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Missing Requirements Under 35 U.S.C. 371 dated August 8, 2005 and supplemental to the Petition to File When Inventor Cannot be Reached filed March 8, 2006, Applicants hereby submit this Supplemental Petition with the Declaration executed by all inventors as set forth in 37 CFR § 1.47.

Respectfully submitted,

SINGH et al.

Date: June 7, 2006

Customer No. 26815

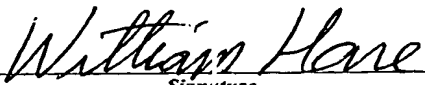
By



William D. Hare, Esq.
Reg. No. 44,739

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(LargeEntity)					Docket No. RLL-275US	
In Re Application Of: SINGH, et al.						
Application No. 10/522,223	Filing Date January 24, 2005	Examiner TBA	Customer No. 26815	Group Art Unit TBA	Confirmation No. 7205	
Invention: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE FORMULATIONS OF MODAFINIL						
<u>Mail Stop Missing Parts</u> <u>COMMISSIONER FOR PATENTS:</u> This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on <u>August 8, 2005</u> <i>Date</i> Enclosed herewith for filing are the following: <ul style="list-style-type: none"><input checked="" type="checkbox"/> A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)<input type="checkbox"/> An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.<input type="checkbox"/> A properly signed oath or declaration in compliance with 37 CFR 1.63.<input type="checkbox"/> An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.<input type="checkbox"/> A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.<input checked="" type="checkbox"/> Other (list): <div style="border: 1px solid black; height: 150px; margin-top: 10px; padding: 5px;">Unexecuted Declaration Return Post Card</div>						

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(Large Entity)					Docket No. RLL-275US	
In Re Application Of: SINGH, et al.						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
10/522,223	January 24, 2005	TBA	26815	TBA	7205	
Invention: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE FORMULATIONS OF MODAFINIL						
<u>TO THE COMMISSIONER FOR PATENTS:</u> <u>Mail Stop Missing Parts</u>						
<input checked="" type="checkbox"/> Completion of application fees as calculated below:						
<input type="checkbox"/> Utility application basic fee						
<input type="checkbox"/> Design application basic fee						
<input type="checkbox"/> Search Fee						
<input type="checkbox"/> Examination Fee						
<input type="checkbox"/> Total number of independent claims = _____						
<input type="checkbox"/> Total number of claims = _____						
<input type="checkbox"/> Multiple dependent claims						
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath					\$130.00	
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor						
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification						
<input type="checkbox"/> Fee for processing and retention of application						
Total completion of application fees					\$130.00	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.						
<input type="checkbox"/> One month <input type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input checked="" type="checkbox"/> Five months						
from: _____		C October 8, 2005		until: _____		March 8, 2006
		<small>Date</small>				<small>Date</small>
Total time extension fees					\$2,160.00	
Total fees due					\$2,290.00	

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533) (Large Entity)				Docket No. RLL-275US	
In Re Application Of: SINGH, et al.					
Application No. 10/522,223	Filing Date January 24, 2005	Examiner TBA	Customer No. 26815	Group Art Unit TBA	Confirmation No. 7205
Invention: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE FORMULATIONS OF MODAFINIL					
<u>TO THE COMMISSIONER FOR PATENTS:</u> <u>Mail Stop Missing Parts</u>					
<p>The fee of \$2,290.00 is to be paid as follows:</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0912</p> <p><input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0912</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<div style="text-align: center;"> _____ <i>Signature</i></div> <p>William D. Hare, Esq. Reg. No. 44,739 Customer No. 26815</p>			<p>Dated: <i>October 26, 2006</i></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p><p>_____ (Date)</p><p>_____ <i>Signature of Person Mailing Correspondence</i></p><p>_____ <i>Typed or Printed Name of Person Mailing Correspondence</i></p></div>		
CC:					

RLL-275

Electronic Acknowledgement Receipt

EFS ID:	1070819
Application Number:	10522223
Confirmation Number:	7205
Title of Invention:	Processes for the preparation of oral dosage formulations of modafinil
First Named Inventor:	Romi Barat Singh
Customer Number:	26815
Filer:	William D. Hare/Kim Campbell
Filer Authorized By:	William D. Hare
Attorney Docket Number:	RLL-275US
Receipt Date:	07-JUN-2006
Filing Date:	
Time Stamp:	16:55:20
Application Type:	U.S. National Stage under 35 USC 371
International Application Number:	

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$ 130
RAM confirmation Number	226
Deposit Account	500912
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages
1	Petition for review/processing depending on status	275petition.pdf	308449	no	5

Warnings:**Information:**

2	Oath or Declaration filed	275declarations.pdf	1198423	no	12
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Warnings:**Information:**

3	Fee Worksheet (PTO-875)	fee-info.pdf	8179	no	2
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Warnings:**Information:**

Total Files Size (in bytes):			1515051		
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 Indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

Express Mail Label No.

Page 1 of

Docket No.
RLL-275US

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PROCESSES FOR THE PREPARATION OF ORAL DOSAGE FORMULATIONS OF MODAFINIL

the specification of which

(check one)

☐ is attached hereto

☒ was filed on July 24, 2003 as United States Application No. or PCT International Application Number PCT/IB2003/002962 and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

771/DEL/2002

India

25 July 2002

☒

(Number)

(Country)

(Day/Month/Year Filed)

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Jayadeep R. Deshmukh, Esq. Reg. No. 34,507
George E. Heibel, Esq. Reg. No. 42,648
William D. Hare, Esq. Reg. No. 44,739
Kenneth Y. Lo, Esq. Reg. No. 51,961
James J. De Yorker, Esq. Reg. No. 52,817

Send Correspondence to: Jayadeep R. Deshmukh, Esq.
Ranbaxy Inc.
600 College Road East, Suite 2100
Princeton, New Jersey 08540

Direct Telephone Calls to: *(name and telephone number)*
Jayadeep R. Deshmukh, Esq. 609-720-5608

Full name of sole or first inventor Romi Barat SINGH	<i>Romi Singh</i>	<i>9th March '06</i>
Sole or first inventor's signature		Date
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Citizenship India		
Post Office Address A-14 Badshah Bagh, Varanasi, Uttar Pradesh, 221002 India		

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Second inventor's signature	Date
Residence New Delhi, Delhi	
Citizenship India	
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Full name of third inventor, if any Vishnubhoda NAGAPRASAD	
Third inventor's signature <i>V. Nagaprasad</i>	Date 09/3/06
Residence Hyderabad, Andhra Pradesh	
Citizenship India	
Post Office Address 102 Surya Niwas Apartment, Balaji Nagar, Kukatpally, Hyderabad, Andhra Pradesh 500072 India	

Full name of fourth inventor, if any Sunilendu Bhshan ROY	
Fourth inventor's signature	Date
Residence Mumbai, Maharashtra	
Citizenship India	
Post Office Address Bungalow #7, Row House Lokpuram, Than West, Mumbai, Maharashtra 400601 India	

Full name of fifth inventor, if any Rajiv MALIK	
Fifth inventor's signature	Date
Residence Austria	
Citizenship India	
Post Office Address Haus 13/4, Unterer Schreibe rweg, A-1190 Wien Austria	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Express Mail Label No.

Page 1 of

Docket No.
RLL-275US

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PROCESSES FOR THE PREPARATION OF ORAL DOSAGE FORMULATIONS OF MODAFINIL

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on July 24, 2003 as United States Application No. or PCT International Application Number PCT/IB2003/002962 and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

771/DEL/2002
(Number)

India
(Country)

25 July 2002
(Day/Month/Year Filed)

☒

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

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(Filing Date)

(Application Serial No.)

(Filing Date)

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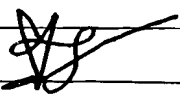
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Princeton, New Jersey 08540

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Full name of sole or first inventor Romi Barat SINGH	
Sole or first inventor's signature	Date
Residence Varanasi, Uttar Pradesh	
Citizenship India	
Post Office Address A-14 Badshah Bagh, Varanasi, Uttar Pradesh, 221002 India	

Full name of second inventor, if any Pananchukunnath Manoj KUMAR	
Second inventor's signature	Date
Residence New Delhi, Delhi	FEBRUARY 10, 2006
Citizenship India	
Post Office Address 25 Laxmi Vihar Apartments, Block H-3, Vikas Puri, New Delhi, Delhi 110018 India	

Full name of third inventor, if any Vishnubhotla NAGAPRASAD	
Third inventor's signature	Date
Residence Hyderabad, Andhra Pradesh	
Citizenship India	
Post Office Address 102 Surya Niwas Apartments, Balaji Nagar, Kukatpally, Hyderabad, Andhra Pradesh 500072 India	

Full name of fourth inventor, if any Sunilendu Bhshan ROY	
Fourth inventor's signature 	Date MAR 01, 06
Residence Mumbai, Maharashtra	
Citizenship India	
Post Office Address Bungalow #7, Row House Lokpuram, Than West, Mumbai, Maharashtra 400601 India	

Full name of fifth inventor, if any Rajiv MALIK	
Fifth inventor's signature	Date
Residence Austria	
Citizenship India	
Post Office Address Haus 13/4, Unterer Schreiberweg, A-1190 Wien Austria	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
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Citizenship	
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(Number)	(Country)	(Day/Month/Year Filed)	
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>
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<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>
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(Filing Date)

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Send Correspondence to: **Jayadeep R. Deshmukh, Esq.**
Ranbaxy Inc.
600 College Road East, Suite 2100
Princeton, New Jersey 08540

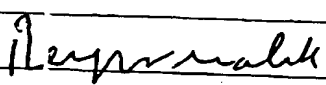
Direct Telephone Calls to: *(name and telephone number)*
Jayadeep R. Deshmukh, Esq. 609-720-5608

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Sole or first inventor's signature	Date
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Citizenship India	
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Second inventor's signature	Date
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Citizenship India	
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Citizenship India	
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Full name of fourth inventor, if any Sunilendu Bhshan ROY	
Fourth inventor's signature	Date
Residence Mumbai, Maharashtra	
Citizenship India	
Post Office Address Bungalow #7, Row House Lokpuram, Than West, Mumbai, Maharashtra 400601 India	

Full name of fifth inventor, if any Rajiv MALIK	
Fifth inventor's signature 	Date 6/2/06
Residence Austria	
Citizenship India	
Post Office Address Haus 13/4, Unterer Schreiberweg, A-1190 Wien Austria	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

*** RX REPORT ***

RECEPTION OK

TX/RX NO	6795
RECIPIENT ADDRESS	609 514 9779
DESTINATION ID	
ST. TIME	10/26 17:26
TIME USE	04'58
PGS.	31
RESULT	OK